

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

In Re:

**FRANCISCO M GONZALEZ RIVERA
JOMARIE M FERIA DIAZ**

Debtor(s)

Case No: 10-10809 ESL

Chapter 13

MOTION TO INFORM AMENDED PLAN

TO THE HONORABLE COURT:

NOW COMES the debtor, through the undersigned attorney, and very respectfully alleges and prays:

1. That today the debtor is filing an amended chapter 13 repayment plan.
2. That the reason for amendment is to increase the adequate protection for FirstBank of PR.

WHEREFORE, it is respectfully requested to this Honorable Court to take notice of the aforementioned.

RESPECTFULLY SUBMITTED.

I HEREBY CERTIFY that a true and exact copy of the foregoing motion has been filed electronically with the Clerk of the Court using CM/ECF systems which will send notification of such to the Chapter 13 Trustee, and we sent copy of this document through regular mail to debtor (s) and all non CM/ECF participants interested parties to their addresses listed on the master address list.

In San Juan, Puerto Rico this 8the day of March of 2011.

JPC LAW OFFICE

Jose M Prieto Carballo, Esq
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By: /s/ Jose M Prieto Carballo, Esq.

**United States Bankruptcy Court
District of Puerto Rico**

IN RE:

GONZALEZ RIVERA, FRANCISCO M & FERIA DIAZ, JOMARIE
Debtor(s)

Case No. 10-10809 / 10810

Chapter 13

CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee directly by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

<p>PLAN DATED: _____ <input type="checkbox"/> PRE <input type="checkbox"/> POST-CONFIRMATION</p> <p>I. PAYMENT PLAN SCHEDULE</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">\$</td> <td style="width: 10%;">475.00</td> <td style="width: 10%;">x</td> <td style="width: 10%;">2</td> <td style="width: 10%;">=</td> <td style="width: 10%;">\$</td> <td style="width: 10%;">950.00</td> </tr> <tr> <td>\$</td> <td>325.00</td> <td>x</td> <td>10</td> <td>=</td> <td>\$</td> <td>3,250.00</td> </tr> <tr> <td>\$</td> <td>425.00</td> <td>x</td> <td>24</td> <td>=</td> <td>\$</td> <td>10,200.00</td> </tr> <tr> <td>\$</td> <td>525.00</td> <td>x</td> <td>24</td> <td>=</td> <td>\$</td> <td>12,600.00</td> </tr> <tr> <td>\$</td> <td></td> <td>x</td> <td></td> <td>=</td> <td>\$</td> <td></td> </tr> </table> <p style="text-align: center;">TOTAL: \$ <u>27,000.00</u></p> <p>Additional Payments: \$ _____ to be paid as a LUMP SUM within _____ with proceeds to come from:</p> <p><input type="checkbox"/> Sale of Property identified as follows: _____</p> <p><input type="checkbox"/> Other: _____</p> <p>Periodic Payments to be made other than, and in addition to the above: \$ _____ x _____ = \$ _____</p> <p>PROPOSED BASE: \$ <u>27,000.00</u></p> <p>III. ATTORNEY'S FEES (Treated as § 507 Priorities)</p> <p>Outstanding balance as per Rule 2016(b) Fee Disclosure Statement: \$ <u>2,838.00</u></p> <p>Signed: <u>/s/ FRANCISCO M GONZALEZ RIVERA</u> Debtor</p> <p><u>/s/ JOMARIE FERIA DIAZ</u> Joint Debtor</p>	\$	475.00	x	2	=	\$	950.00	\$	325.00	x	10	=	\$	3,250.00	\$	425.00	x	24	=	\$	10,200.00	\$	525.00	x	24	=	\$	12,600.00	\$		x		=	\$		<p><input checked="" type="checkbox"/> AMENDED PLAN DATED: <u>3/08/2011</u> Filed by: <input checked="" type="checkbox"/> Debtor <input type="checkbox"/> Trustee <input type="checkbox"/> Other</p> <p>II. DISBURSEMENT SCHEDULE</p> <ol style="list-style-type: none"> A. ADEQUATE PROTECTION PAYMENTS OR _____ \$ _____ B. SECURED CLAIMS: <input type="checkbox"/> Debtor represents no secured claims. <input checked="" type="checkbox"/> Creditors having secured claims will retain their liens and shall be paid as follows: 1. <input type="checkbox"/> Trustee pays secured ARREARS: Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 2. <input checked="" type="checkbox"/> Trustee pays IN FULL Secured Claims: Cr. FIRST BANK OF PR Cr. TOYOTA CREDIT Cr. _____ # 10073867137056 # 0400093273 # _____ \$ 12,000.00 \$ 7,101.00 \$ _____ 3. <input type="checkbox"/> Trustee pays VALUE OF COLLATERAL: Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 4. <input type="checkbox"/> Debtor SURRENDERS COLLATERAL to Lien Holder: _____ 5. <input type="checkbox"/> Other: _____ 6. <input type="checkbox"/> Debtor otherwise maintains regular payments directly to: _____ <p>C. PRIORITIES: The Trustee shall pay priorities in accordance with the law. 11 U.S.C. § 507 and § 1322(a)(2)</p> <p>D. UNSECURED CLAIMS: Plan <input type="checkbox"/> Classifies <input checked="" type="checkbox"/> Does not Classify Claims.</p> <ol style="list-style-type: none"> 1. (a) Class A: <input type="checkbox"/> Co-debtor Claims / <input type="checkbox"/> Other: _____ <input type="checkbox"/> Paid 100% / <input type="checkbox"/> Other: _____ Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 2. Unsecured Claims otherwise receive PRO-RATA disbursements. <p>OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.) FAILURE TO TIMELY OBJECT TO THIS PLAN BY A CREDITOR CONSTITUTES A WAIVER OF THE EQUAL MONTHLY AMOUNT METHOD OF PAYMENT 11 USC 1325 (a)(5). ATTORNEY'S FEES WILL BE PAID AHEAD OF SECURED CREDITORS PER 11 USC 330. TAX REFUNDS, IF ANY ARE RECEIVED BY DEBTOR, WILL BE TENDERED TO THE TRUSTEE AS PERIODIC PAYMENTS TO FUND THE PLAN UNTIL PLAN COMPLETION IN ADDITION TO PAYMENTS ALREADY PROVIDED HEREIN. IF DEBTOR(S) NEED TO USE ANY PART OF THESE FUNDS, PROPER AUTHORIZATION WILL BE SOUGHT FROM THE COURT FOR SUCH PURPOSE. DEBTOR WILL PROVIDE INSURANCE TO TOYOTA CREDIT AND FIRST BANK THROUGH EASTERN AMERICAN INSURANCE \$200. ADEQUATE PROTECTION FOR FIRST BANK AND TOYOTA CREDIT</p>
\$	475.00	x	2	=	\$	950.00																														
\$	325.00	x	10	=	\$	3,250.00																														
\$	425.00	x	24	=	\$	10,200.00																														
\$	525.00	x	24	=	\$	12,600.00																														
\$		x		=	\$																															

Attorney for Debtor Jose Prieto

Phone: (787) 607-2166

Label Matrix for local noticing

0104-3

Case 10-10809-BKT13

District of Puerto Rico

Old San Juan

Tue Mar 1 17:38:27 AST 2011

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San Juan, PR 00901-1964

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BANKRUPTCY DIVISION

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SAN JUAN PR 00908

HSBC BANK

MALCOM S GERALD & ASSOC

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End of Label Matrix

Mailable recipients 28

Bypassed recipients 0

Total 28